

Protection Order Committee
Judicial Conference of Indiana

Minutes

January 29, 2016

The Protection Order Committee met at the Indiana Judicial Center on Friday, January 29, 2016 from 12:00 noon – 3:30 p.m.

1. Members present. Andrew K. Antrim, Barbara L. Cook Crawford, William A. Dawkins, Jennifer Lynne DeGroote, Sara A. Dungan, Thomas P. Hallett, Justin H. Hunter, Donna Walker and Christopher M. Goff, Chair.
2. Staff present. Jeffrey Bercovitz and Ruth Reichard provided the committee with staff assistance.
3. Introduction of new members. Clerk Debbie Walker, Henry County was introduced as a new member of the committee.
4. Guests present. Donna Edgar, Court Technology and Kathy Williams, representing the American Society for the Prevention of Cruelty to Animals attended the meeting.
5. Minutes approved. The minutes for the meeting on October 23, 2015 were approved.
6. Revisions to PO-0100 and PO-0101. Magistrate DeGroote reviewed PO-0100 and PO-0101 Instruction forms with members of the committee. Revisions were approved by consensus. Magistrate DeGroote agreed to make further revisions based on Administrative Rule 9 (G) (5) which requires a form for confidential information. Ruth Reichard agreed to revise the form under Admin. Rule 9 (G) (5) for use with protection, no contact and workplace violence restraining orders.
7. Presentation by Donna Edgar.
 - a. Donna Edgar indicated if a protection order does not have an electronic signature in Odyssey, but the Protection Order Registry indicates the signature is “on file,” can this document be part of the official court record under Trial Rule 77? She reported some judicial officers will not check the box to affix an electronic signature and others sign the printed order and scan it back in. Committee members discussed whether a judge *pro tem* would have an electronic signature on file. Members of the committee agreed to have Donna Edgar return to the next meeting of the committee with LaJuan Epperson from the Protection Order Registry for further review.
 - b. Donna Edgar reported a new form must be used when confidential information is filed with the court under Administrative Rule 9 (G) (5). Mag. DeGroote agreed to revise the instructions for protection order forms to account for this rule and Ruth Reichard agreed to revise the form for use with protection, no contact and workplace violence orders.

8. Recent legislation. Members of the committee reviewed Senate Bill 22 and House Bill 1069.
9. Presentation by Kathy Williams. Kathy Williams, an attorney representing the American Society for the Prevention of Cruelty to Animals, gave a presentation concerning her client's concern that Indiana needs specific statutory provisions to include household pets in protection orders. She reported Senate Bill 343 was filed this year to provide this authority. She also distributed draft language for protection orders in this area. Committee members indicated Indiana's current statutes contain coverage for personal property, which includes animals; and cruelty to an animal is incorporated in the definition of domestic and family violence.

Committee members agreed to contact Ms. Williams know the committee continued discussion after she left, agreed to revise the instructions for petitioners for protection orders about the use of a protection order to cover animals, and would discuss draft language at their next meeting.
10. Other.
 - a. Judge Hunter noted an increase in the number of cases where the petitioner indicates a threat is communicated to release a nude or partially nude photo of the petitioner online. Committee members agreed this is a concern. Ruth Reichard agreed to provide the citation to the federal statute which makes this a crime.
 - b. Jeff Bercovitz distributed the Illinois bail statute which includes risk assessment for domestic violence.
11. Next meeting dates. Committee members agreed to meet again on Friday, February 26, 2016, June 24, 2016, and Friday, October 28, 2016, from 12:00 Noon – 3:30 p.m. Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law